

REMARKS

Claim 1 is amended. Claims 1-3, 5-11 and 14-21, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Office Action dated July 5, 2005, the Examiner rejected Claims 1, 2, and 5 under 35 U.S.C. 102(b) as being anticipated by Chaney, U. S. Patent 1,563,687. The Examiner stated that Moore (Chaney?) teaches a sheet of stock for forming an item holder comprising: a planar blank portion made of cardboard material, the planar blank portion including a front portion 1, a rear portion 2 attached to said front portion 1 at a first score line 3, a connector portion 6' attached to said rear portion 2 at a second score line 8, and a holder portion 7 attached to said connector portion 6' at a third score line 9', whereby said front portion 1 and said rear portion 2 can be folded relative to each other along said first score line 3, said rear portion 2 and said connector portion 6' can be folded relative to each other along said second score line 8, and said connector portion 6' and said holder portion 7 can be folded relative to each other along said third score line 9' to form an item holder having a holder pocket (figure 5 and 6) for receiving at least one item. The Examiner further stated that Chaney also teaches a pair of support portions 17, 17' formed in the rear portion 2, wherein each support portion being partially separable from the rear portion 2 at a die cut line 18 and 18'.

The Examiner stated that: "Moore also teaches label or name panel 47 may have the name of the articles, the selling price, the manufacturer's name or the selling price, the manufacturer's name printed thereon. Column 3, line 24-28." Applicants do not understand this citation to Moore since the rejection under 35 U.S.C. 102(b) is based upon Chaney.

The Examiner rejected Claims 3, 5, 9, 10, and 11 under 35 U.S.C. 103(a) as being unpatentable over Moore, U. S. Patent 2,515,887 in view Chaney. Since the Examiner allowed Claims 9-11 (see Applicants' Response below), Applicants believe that this rejection only applies to Claims 3 and 5.

The Examiner stated that Moore teaches a sheet of stock for forming an item holder comprising: a planar blank portion including a front portion 24 (47, 48), a rear portion 22n 23 attached to said front portion at a first score line 23', a connector portion 21 attached to said rear portion 22n 23 at a second score line 24', and a holder portion 25 attached to said connector portion 21 at a third score line 25' to form an item holder having a holder pocket (figure 5 and 6) for receiving at least one item. The Examiner further stated that Chaney also teaches a pair of support portions 17, 17' formed in the rear portion 2, wherein each support portion being partially separable from the rear portion 2 at a die cut line 18 and 18'.

portion at a second score line 21, and a holder portion 20 attached to said connector portion 21 at a third score line 20', whereby said front portion and said rear portion can be folded relative to each other along said first score line 23', said rear portion and said connector portion can be folded relative to each other along said second score line 21', and said connector portion and said holder portion can be folded relative to each other along said third score line to form an item holder having a holder pocket for receiving at least one item. The Examiner stated that Moore also teaches a support portion 53 extending from the rear portion. According to the Examiner, it would have been obvious to one having ordinary skill in the art to construct the support stand taught by Moore comprising a pair of support portions as taught by Chaney to provide a more sturdy support structure.

With respect to Claim 5, the Examiner stated that Moore teaches a pair wing 39 and 40 extending from the rear portion.

Applicants' Response:

Applicants appreciate the Examiner's allowance of Claims 9-11 and 15-21. The Examiner did not mention Claim 14, but since Claim 14 depends from Claim 9, Applicants believe that Claim 14 is allowable.

Claim 21 depends from rejected Claim 1. Therefore, Applicants believe that Claim 21 was allowed in error.

The Examiner objected to Claims 6-8 and 13 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants note that Claim 13 was cancelled in the previous Amendment.

Applicants amended Claim 1 to clarify that the blank portion is detachably attached to the carrier portion. This construction permits the sheet to be passed through a printer and then the blank portion is detached from the carrier portion to form the item holder.

Applicants respectfully traverse the Examiner's anticipation rejection of Claims 1, 2 and 5. In order to anticipate a claim, a reference must show each and every element of the claimed invention. The Chaney patent does not show a planar carrier portion and a planar blank portion detachably attached to the carrier portion as recited in Applicants' claims. The Examiner does

000132818/0001/657905-1

not identify or even mention the carrier portion. There is no portion of the blank shown in the Chaney patent that corresponds to the claimed carrier portion. Furthermore, the Chaney patent does not show a sheet of stock that is sized for printing on the blank portion by a printer as defined by Applicants' claims.

Applicants respectfully traverse the Examiner's obviousness rejection of Claims 3 and 5. Neither the Moore patent nor the Chaney patent shows a planar carrier portion and a planar blank portion detachably attached to the carrier portion as recited in Applicants' Claim 1. The Examiner does not identify or even mention the carrier portion. There is no portion of the blank shown in either of the cited patent that corresponds to the claimed carrier portion. Furthermore, neither patent shows a sheet of stock that is sized for printing on the blank portion by a printer as defined by Applicants' claims.

In summary, the Chaney and Moore patents do not show all of the elements defined by Claims 1-3, 5-8 and 21.

In view of the amendments to the claims and the above arguments, Applicants believe that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.